## WAIVER OF SERVICE OF SUMMONS

Simpson Gumpertz & Heger, Inc. Attn: Legal Representative 19 W. 34th Street #1000 New York, NY 10001

JAND Mollack , on behalf of Simpson Gumpertz & Heger, Inc., acknowledge receipt of your request that I waive service of summons in the action of Dr. Morgan Reynolds, plaintiff, in his lawsuit against Science Applications International Corporation, et al which is Case No. 07 CIV 4612 (GEL) in the United States District Court for the Southern District of New York.

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (as representative of Simpson Gumpertz & Heger, Inc.) be served with judicial process in the manner provided by Rule 4.

I will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against Simpson Gumpertz & Heger, Inc. if any answer or motion under Rule 12, is not served upon you within 60 days after August 9th Dated: Print/Type Name

## AFFIDAVIT OF SERVICE

STATE OF NEW YORK ) ss.:
COUNTY OF NEW YORK )

I, Kelly B. Faherty, being sworn, say: I am not party to this action, am over 18 years of age, and reside in Farmingdale, New York.

On September 5, 2007, I served the within: Waiver of Service of Summons on behalf of Simpson, Gumpertz & Heger, Inc., by depositing true copies thereof enclosed in post-paid wrappers, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to:

Jerry Vincent Leaphart, Esq. 8 West Street, Suite 203 Danbury, CT 06810

Kelly Faherty

Sworn to before me this

5<sup>th</sup> day of September, 2007

Notary Public

DAVID M. POLLACK
No. 30-02PO5035521

Commission Expires Nov. 7, 20